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February 17, 2016

By ECF and Email

Hon. Andrew L. Carter, Jr.
United States District Court
Southern District of New York
40 Foley Square, Room 435
New York, New York 10007

Re: *United States v. Edward Durante, et al.* S4 15 Cr. 171 (ALC)

Dear Judge Carter:

On behalf of my client, Abida Khan, and with the consent of the government, I am writing to update the Court on our efforts to secure a financially responsible co-signor for Ms. Khan's personal recognizance bond and to propose, with the consent of the prosecutors, that the parties address the question of Ms. Khan's bail conditions following the conference in this matter on Friday, February 19, 2016.

On January 13, 2016, Your Honor ordered Ms. Khan released pending trial, on the following conditions: that she submit to electronic monitoring in her home district, the District of Nevada, subject to a curfew; that she sign a personal recognizance bond in the amount of \$500,000, to be co-signed by two financially responsible persons; that she restrict her travel to the Districts of Nevada and New Jersey and to the Southern and Eastern Districts of New York; that she surrender her travel documents and make no new applications for such documents; and that she submit to strict pretrial supervision. Your Honor allowed Ms. Khan until January 27, 2016, to satisfy the conditions of her bond.

On January 26, 2016, with the consent of the government, I requested a one week adjournment, until February 3, within which to secure the required co-signors.

On February 3, 2016, again with the consent of the government, I wrote to request more time, until February 17, 2016, for Ms. Khan to satisfy the conditions of the bond, and to request two modifications to the bond. I discussed with the government efforts Ms. Khan and I have made to secure financial responsible persons to sign the bond and obstacles we have encountered. As a result, the government (Ms. Griswold) agreed, subject to the Court's approval, to reduce the size of bond from \$500,000 to \$200,000 and to require that the bond be co-signed by one financially responsible person, rather than two.

Despite our efforts, we have been unable to secure a financially responsible co-signor for Ms. Khan. The co-signors willing to sign Ms. Khan's bond are in a position to exercise

Hon. Andrew L. Carter, Jr.

February 17, 2016

Page 2

moral suasion over her, but neither is a working person. I will continue to discuss this matter with the government, in an effort to reach an agreement prior to Friday's appearance. In the meantime, the parties respectfully suggest that the Court set aside time at the conclusion of Friday's conference to discuss Ms. Khan's bail conditions.

Ms. Khan remains compliant with the remaining conditions of her bail. She has been subject to electronic monitoring with a curfew since on or about January 15, 2016, two days after her appearance in this district. Should the Court wish to speak with him, Ms. Khan's pretrial services officer in Las Vegas is Kamu Kapanui. Mr. Kapanui may be reached at (702) 464-5638.

Respectfully submitted,



Joanna C. Hendon

So Ordered: _____
HON. ANDREW L. CARTER, JR.

cc: AUSA Daniel S. Goldman
AUSA Andrea M. Griswold